### RECEIVED CENTRAL FAX CENTER

JAN 2 3 2006

## KLARQUIST SPARKMAN, LLP

INTELLECTUAL PROPERTY LEGAL SERVICES - INCLUDING PATENTS, TRADEMARKS, COPYRIGHTS & LITIGATION - SINCE 1941 One World Trade Center • 121 S.W. Salmon Street • Suite 1600 • Portland, Oregon 97204 • U.S.A. Telephone: 503-595-5300 • www.klarquist.com Facsimile: 503-595-5301

**FAX TRANSMITTAL** January 23, 2006 DATE: Ashokkumar B. Patel TO: BEST AVAILABLE COPY **FAX PHONE NO.:** (571) 273-3972 FROM: Justin D. Wagner REMOTE POWER CONTROL SYSTEM (Cont.) RE: **OUR FILE:** 7273-70201**-0**1 APPLN NO.: 10/806,130 NO. OF PAGES 3 (including this cover page) PLEASE ACKNOWLEDGE RECEIPT BY RETURN FACSIMILE? XYes No CONFIRMATION TO FOLLOW? Yes XN<sub>0</sub> **CONTACT INFO:** If you do not receive all pages or if you have problems receiving transmittal, please call us at (503) 595-5300 as soon as possible and ask for Kathryn L. Pundt. MESSAGE:

THE INFORMATION CONTAINED IN THIS TRANSMISSION IS CONFIDENTIAL AND ONLY FOR THE INTENDED RECIPIENT IDENTIFIED ABOVE. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION OR USE OF THIS COMMUNICATION IS UNLAWFUL. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE (COLLECT), RETURN THE ORIGINAL MESSAGE TO US, AND RETAIN NO COPY.

<<message text>>

# RECEIVED CENTRAL FAX CENTER

## JAN 2 3 2006

BEST AVAILABLE COPY

PATENT

2006

Attorney Reference Number: 7273-70201-01

JDW:jdw 01/23/06 7273-70201-01 477984.doc

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ewing et al.

Application No. 10/806,130

Filed: March 23, 2004 Confirmation No. 2108

For: REMOTE POWER CONTROL SYSTEM

Examiner: Ashokkumar B. Patel

Art Unit: 2154

Attorney Reference No. 7273-70201-01

VIA FACSIMILE - (571) 273-3972 COMMISSIONER FOR PATENTS P.O. BOX 1450 ALEXANDRIA, VA 22313-1450

#### CERTIFICATE OF FACSIMILE

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being facsimile transmitted to fax number (571) 273-3972 on the date shown below.

Attorney or Agent for Applicant(s)

#### TERMINAL DISCLAIMER

Server Technology, Inc., ("Server Technology") is the owner of the entire interest in the above-identified application. The assignment was recorded on July 23, 1996, (Reel 8227, Frames 0609-0611).

Server Technology hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of United States Patent No. 5,949,974, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to United States Patent No. 5,949,974, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

Server Technology does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of United States Patent No. 5,949,974, in the event that it later expires for failure to pay a maintenance fee, is held

Terminal Disclaimer — Page 1 of 2

BEST AVAILABLE COPY

JDW:jdw 01/23/06 7273-70201-01 477984.doc

PATENT

Attorney Reference Number: 7273-70201-01

unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title stated above.

I am empowered to act on behalf of Server Technology.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

One World Trade Center, Suite 1600 121 S.W. Salmon Street

Portland, Oregon 97204

Telephone: (503) 595-5300 Facsimile: (503) 595-5301

Justin D. Wagner

Registration No. 54,519